

In re Application of: Saul J. Silverstein et al.

Serial No.: 09/769,699 Group Art Unit: 1636

Filed : January 25, 2001 Examiner: G. Leffers Jr.

For : VZV ORF29P PROTEIN-RELATED COMPOSITIONS AND METHODS

HONORABLE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

January 22, 2003

S I R:

Transmitted herewith is an amendment to the above identified application.

Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27 is enclosed.

X No additional fee is required.

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The filing fee is calculated as follows:

	NUMBER AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE FEE				
							SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY
Total Claims	18	-	23	=	0	X	\$9	\$18	=	0	0
Independent Claims		-	8	=	0	X	\$42	\$84	=	0	0
Multiple Dependent Claim(s) Presented Yes <u>X</u> No							\$135	\$270	0	0	0
For First Time							TOTAL ADDITIONAL FEE \$ 0				

*If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

**If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

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Amendment Transmittal Letter
Page 2

The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment of the number of claims as originally filed

____ Please charge Deposit Account No. 03-3125 in the amount of \$ _____. Three copies of this sheet is enclosed.

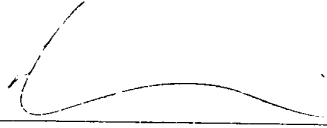
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☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-3125. Three copies of this sheet are enclosed.

☒ Any filing fees under 37 C.F.R. §1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 C.F.R. §1.17.

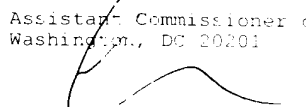
Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. postal Service with sufficient postage as first class mail in an envelope addressed to:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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1185 Avenue of the Americas
New York, New York 10036
January 22, 2003

Assistant Commissioner for Patents
Washington, D.C. 20531

AMENDMENT IN RESPONSE TO OCTOBER 22, 2002 OFFICE ACTION

This Amendment is submitted in response to the October 22, 2002 Office Action issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the October 22, 2002 Office Action is due January 22, 2003. Accordingly, this Amendment is being timely filed.

Please make the following amendments to the above-identified application:

In the claims

Please cancel claims 8, 10 and 12-23 without prejudice to applicant's right to pursue the subject matter thereof in a continuing application.

Please amend claims 1-7, 9 and 11 as follows: